

LAHIVE

&

COCKFIELD

L L P



COUNSELLORS AT LAW  
28 STATE STREET  
BOSTON, MASSACHUSETTS 02109-1784  
TELEPHONE (617) 227-7400  
FAX (617) 742-4214  
lc@lahcoc.com

JOHN A. LAHIVE, JR. (1928-1997)  
THOMAS V. SMURZYNKI  
RALPH A. LOREN  
GIULIO A. DeCONTI, JR.  
ANN LAMPORT HAMMITE  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAGOURAS  
ANTHONY A. LAURENTANO  
KEVIN J. CANNING  
JANE E. REMILLARD  
DAVID A. LANE, JR.  
JEANNE M. DIGIORGIO  
DEBRA J. MILASINCIC, Ph.D  
NICHOLAS P. TRIANO, III  
TIMOTHY J. DOUROS  
WILLIAM D. DeVAUL  
CATHERINE J. KARA, Ph.D.

CHI SUK KIM  
DAVID J. RIKKERS  
DAVID R. BURNS

SENIOR COUNSEL  
W. HUGO LIEPMANN  
JAMES E. COCKFIELD  
OF COUNSEL  
JEREMIAH LYNCH  
WILLIAM A. SCOFIELD, JR.  
PETER C. LAURO \*  
DeANN FORAN SMITH\*\*

\* Admitted in NY only  
\*\* Admitted in MI only

PATENT AGENTS  
MEGAN E. WILLIAMS, Ph.D

TECHNICAL SPECIALISTS  
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.  
CYNTHIA M. SOROS  
PETER W. DINI, Ph.D.  
JENNIFER L. ELLIOTT, Ph.D.  
LAUREN C. FOSTER, D.Sc.  
EUIHOON LEE  
ERICK B. BERGLUND, Ph.D.  
LISA M. DIROCCO  
JENNIFER K. ROSENFIELD

May 12, 2000

BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: U. S. Patent Application No. 09/493,803  
Title: *"Tissue-Specific Expression of Target Genes in Plants"*  
Inventor: Allen G. Good  
Filing Date: January 28, 2000  
Attorney Docket No. AGZ-002

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to File Missing Parts of Nonprovisional Application;
2. *Executed* Declaration and Power of Attorney;
3. *Two Executed* Verified Statements Claiming Small Entity Status;
4. Copy of Notice to File Missing Parts of Application (Form PTO-1533); and
5. Request for Correction of Filing Receipt;
6. Copy of Filing Receipt with correction marked in red; and
7. Check totaling **\$1,538.00** (\$1,473.00 for filing fees and \$65.00 for surcharge); and
8. Pre-paid acknowledgment postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on:

May 12, 2000

Date

*Megan E. Williams*  
Megan E. Williams

Reg. No. 43,270

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

*Megan E. Williams*  
Megan E. Williams  
Registration No. 43,270  
Agent for Applicant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re the application of:** Allen G. Good

**Serial No.:** 09/493,803

**Filing Date:** January 28, 2000

**For:** *Tissue-Specific Expression of Target Genes in Plants*

**Attorney Docket No.:** AGZ-002

**Group Art Unit:** 1649

**Examiner:** Not Yet Assigned



**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

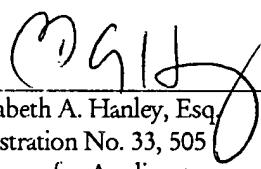
**Certificate of First Class Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

May 12, 2000

Date of Signature and of Mail Deposit

By:

  
Elizabeth A. Hanley, Esq.  
Registration No. 33, 505  
Attorney for Applicant

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

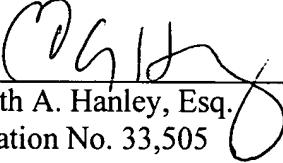
Dear Sir:

Responsive to the Notice to File Missing Parts of Application dated March 13, 2000, Applicant's attorney submits herewith an *executed* Declaration and Power of Attorney, two *executed* Verified Statements Claiming Small Entity Status, a Request for Correction of Filing Receipt, a copy of Filing Receipt with corrections marked in red and a check in the amount of \$1,538.00 (e.g., \$1,473.00 for filing fee(s) and \$65.00 surcharge) based on small entity status. A copy of Form PTO-1533 is also enclosed.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080.

Respectfully submitted,

  
Elizabeth A. Hanley, Esq.  
Registration No. 33,505  
Attorney for Applicant

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109  
Tel. (617) 227-7400

Dated: **May 12, 2000**

## FORMALITIES LETTER



000000004989167\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
--------------------	---------------------	-----------------------	------------------------

09/493,803

01/28/2000

ALLEN G. GOOD

AGZ-002

LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109



Date Mailed: 03/13/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$2178.
  - ✓  \$774 for 43 total claims over 20.
  - ✓  \$1404 for 18 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2998.

---

*A copy of this notice **MUST** be returned with the reply.*

## Customer Service Center

Initial Patent Examination Division (703) 308-1202

## PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/17/2000 NLUANG 00000053 09493803

01 FC:201	345.00 OP
02 FC:205	65.00 OP
03 FC:203	387.00 OP
04 FC:202	741.00 OP